



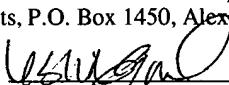
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Attorney Docket Number: VOS-013 (107070.120))

Applicants: Hildt et al. )  
                              )  
Serial No.: 09/890,752     )  
                              )  
Filed: November 30, 2001   )  
                              )  
For: PARTICLES FOR GENE THERAPY

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**CERTIFICATE OF EXPRESS MAILING UNDER 37 CFR §1.10**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail (EV 696282766 US) in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date below.

Date: 9/15/05

  
Leslie Gould

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR INITIALED INFORMATION DISCLOSURE STATEMENT**

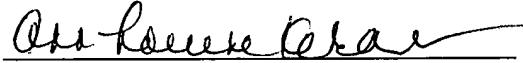
Sir:

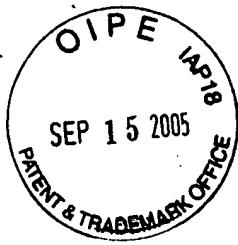
Upon review of the above-identified application file, the undersigned became aware that an initialed copy of the Information Disclosure Statement (specifically Form PTO-1449) filed with the U.S. Patent Office on September 7, 2004 has not been returned to the undersigned. A copy of the Information Disclosure Statement as originally filed is attached for your convenience.

Applicants respectfully request an initialed copy of Form PTO-1449 acknowledging the consideration of the references provided in the Information Disclosure Statement identified above.

Respectfully submitted,

Date: 9/15/05  
Wilmer Cutler Pickering Hale and Dorr LLP  
60 State Street  
Boston, MA 02109  
(617) 526-6000  
(617) 526-5000 (Facsimile)

  
Ann-Louise Kerner, Ph.D., Reg. No. 33,523  
Attorney/Agent for Applicants



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PATENTS  
Atty. Docket No. VOS-013

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eberhard Hildt *et al.*

Art Unit: 1648

Serial No.: 09/890,752

Examiner: Hill, Myron G.

Filing Date: November 30, 2001

Customer No. 23483

Title: Particles for Gene Therapy

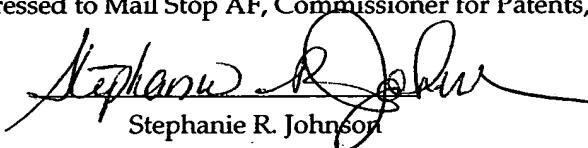
Conf. No. 7711

### CERTIFICATION UNDER 37 CFR § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail with sufficient postage in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

7 Sept 2004

Date of Signature and  
of Mail Deposit



Stephanie R. Johnson

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §1.56, Applicants submit herewith the references on the attached Form PTO-1449, copies of which are also attached.

This submission does not represent that a search has been made and does not constitute an admission that the listed documents are material to the patentability of the invention, or that the listed documents are prior art. Applicants reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application. If it should be determined that any of the listed

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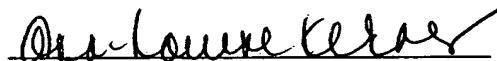
documents constitute prior art under United States law, Applicants reserve the right to present to the Office relevant facts and law regarding the significance of such documents to the patentability of the claimed invention.

It is respectfully requested that the Examiner initial and return copies of the enclosed form PTO-1449 with the next Patent Office communication.

Please charge the \$180.00 fee pursuant to 37 C.F.R. §1.17(p) to Deposit Account No. 08-0219.

If there are any questions, please call the undersigned at the telephone number indicated below.

Respectfully submitted,



Ann-Louise Kerner, Ph.D.  
Reg. No. 33,523

**September 7, 2004**

WILMER CUTLER PICKERING  
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<p>Subt. For, PTO-1449</p> <p><b>OPTIONAL INFORMATION DISCLOSURE IN AN APPLICATION</b></p> <p>SEP 15 2005 (Use several sheets if necessary)</p> 	<p>Docket Number <b>107070-120 (VOS-013)</b></p> <p>Applicant <b>Hildt, et al.</b></p>	<p>Application Number <b>09/890,752</b></p>
<p>1</p>	<p>OF</p>	<p>1</p>
<p>Filing Date <b>11/30/2001</b></p>	<p>Group Art Unit <b>1648</b></p>	

## **U.S. Patent Documents**

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## Foreign Patent Documents

**Other Documents (Including Author, Title, Date Pertinent Pages, Etc.)**

	A1	Derossi, D. et al., "The Third Helix of the Antennapedia Homeodomain translocates through Biological Membranes." <i>J. Biol. Chem.</i> 1994. 269(14): pp. 10444-50.
	A2	Vives, E. et al., "A Truncated HIV-1 Tat Protein Basic Domain Rapidly Translocates through the Plasma Membrane and Accumulates in the Cell Nucleus." <i>J. Biol. Chem.</i> 1997. 272 (25): pp. 16010-16017.
	A3	Rojas, M. et al., "Genetic Engineering of Proteins with Cell Membrane Permeability." <i>Nat. Biotechnol.</i> 1998. 16(4): pp. 370-375.
	A4	Elliot g., et al., "Intercellular Trafficking and Protein Delivery by a Herpesvirus Structural Protein." <i>Cell</i> , 1997. 88(2): pp. 223-33.
	A5	Phelan, A. et al, "Intercellular Delivery of Functional p53 by the Herpesvirus Protein VP22." <i>Nat. Biotechnol.</i> 1998. 16(5): pp. 440-443.

EXAMINER	DATE CONSIDERED
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**EXAMINER:** Initial if citation is considered, whether or not citation is in conformance with MPEP § 609: Draw Line through citation if not considered. If MPEP § 609(a) applies, draw line through entire citation as indicated.

BOSTON 2028820-1